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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,125	11/28/2001	Gerald F. McBrearty	AUS9-2001-0372-US1	1470
7590 04/11/2006			EXAMINER	
Edmond A. DeFrank 20145 Via Medici Northridge, CA 91326			SWEARINGEN, JEFFREY R	
			ART UNIT	PAPER NUMBER
			2145	
DATE MAILED: 04/11/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/996,125	MCBREARTY ET AL.	
	Examiner	Art Unit	
	Jeffrey R. Swearingen	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-15 and 17-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-15 and 17-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 2/2/2006 have been fully considered but they are not persuasive.
2. Applicant argued that Acharya in view of Gong failed to disclose allowing the user to digitally point to selected designated portions of the cached document and only loading the designated portions. Selection of the hyperlink was "digitally pointing to the selected portion of the cached document and only loading the designated portion". The content linked by the hyperlink was the designated portion.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

4. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-3, 5, 7-15, 17, 19-25, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acharya et al. (U.S. Patent No. 6,826,593) in view of Gong (U.S. Patent No. 6,243,089).
6. Regarding claims 1, 13 and 23, Acharya disclosed a management process, computer system, and computer-readable medium containing computer executable instructions (hereafter referred to collectively as a process) displaying cache status information about the cached documents when a user digitally points to an address associated with one or more cached documents. [Acharya, column 4, lines 46-63] Acharya disclosed digitally pointing to selected designated portions of the cached document (hyperlink, column 4, line 56) and only loading the designated portion. (column 4, lines 46-63) Acharya failed to disclose indicating percentage of the document that was previously cached.
7. However, Gong disclosed indicating percentage of the document that was previously cached. [Gong, Figure 4, Figure 5, column 4, lines 18-19]

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8. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to combine the teachings of Acharya and Gong for the purpose of showing a user that the page displayed contains old information [has been cached] or new information. [Gong, column 1, lines 52-55]. Acharya gave motivation for the combination by stating that a user is likely to welcome receiving a different version of the file if it can be obtained quickly. [Acharya, column 3, lines 62-65] If a user knew that a document has old information but is substantially cached for quick access, then they would be able to make the decision to get the newer document that would have a longer download time or to get the cached or substantially cached old document that could be retrieved quickly.

9. In specific regard to claim 13, both Acharya and Gong failed to disclose permanently displaying cache status information and selecting how information is displayed using a dialog box. It would have been further obvious to one of ordinary skill in the art that if information could be displayed by rolling over the address with a mouse, that it could be permanently displayed since HTML browsers allow for both dynamic display of information through mouseovers and through displaying information in many places in a webpage such as a frame, the title bar, etc. It would be even further obvious to one of ordinary skill in the art that since dialog boxes are notoriously well known to select methods of displaying information for over twenty years preceding the invention, that a dialog box could be used with the Acharya/Gong combination to allow a user easier control over the program.

10. Regarding claims 2 and 14, Acharya in view of Gong is applied as in claims 1 and 13. It is inherent that selecting a hyperlink in Acharya involved rolling a cursor over the address to digitally point to the address.

11. Regarding claims 3 and 15, Acharya disclosed the cache status information includes document availability. [Acharya, column 5, lines 1-5].

12. Regarding claims 5 and 17, Acharya disclosed the cache status information includes the date the document was cached. [Acharya, column 3, lines 25-29]

13. Regarding claim 7, Acharya is applied as in claim 1. Acharya further disclosed creating a time stamp associated with the computer system and reporting it as the date the document was cached. [Acharya, column 3, lines 25-29]

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14. Regarding claims 8, 19 and 25, Acharya disclosed the document was a World Wide Web page that is accessed by an Internet browser and the addresses are uniform resource locators pointing to other World Wide Web pages. [Acharya, column 8, lines 58-66]

15. Regarding claim 9, Acharya disclosed loading the cached documents from a network connection. [Acharya, column 10, lines 4-26]

16. Regarding claims 10, 20 and 27, Acharya is applied as in claims 1, 13 and 23. Acharya further disclosed providing load options including loading the cached document. [Acharya, column 4, line 64 – column 5, line 5]

17. Regarding claims 11-12, 21-22, and 28-29, Acharya in view of Gong is applied as in claims 1, 13, and 23. Acharya failed to disclose providing visual indicators showing if the document is partially or fully cached.

18. However, Gong disclosed a color-coded visual indication that the document is partially or fully cached. [Gong, column 4, lines 1-21]

19. The motivation for this combination is the same as the motivation used in claims 4 and 16.

20. Regarding claim 24, Acharya in view of Gong is applied as in claim 23. Acharya failed to disclose a status bar for displaying the status information when a user digitally rolls a cursor over an address associated with the stored documents.

21. However, Gong disclosed a status bar to display messages. [Gong, column 3, lines 47-49]

22. The motivation for this combination is the same as the motivation used in claims 4 and 16.

23. Claims 6, 18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acharya in view of Gong and in further view of Banga et al. (U.S. Pub. No. 2001/0020248).

24. Regarding claims 6, 18 and 26, Acharya in view of Gong is applied as in claims 1, 13 and 23. Acharya failed to disclose comparing sizes of documents to cached documents.

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25. However, Banga disclosed comparing the difference in a document that has been cached to the size of the actual document. [Banga, page 2, paragraphs 0026-0027]

26. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to combine the teachings of Banga and Acharya in order to report the difference in the cached document and the actual document. [Banga, page 2, paragraph 0026] Acharya gave motivation for the combination by stating users would welcome a smaller version of a file that could be retrieved quickly compared to the full version of a file. [Acharya, column 3, lines 62-65]

### ***Conclusion***

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

28. Fan, Li et al. "Web prefetching between low-bandwidth clients and proxies: potential and performance." Proceedings of the 1999 ACM SIGMETRICS International Conference on Measurement and Modeling of Computer Systems. Atlanta, GA. pp. 178-187. ACM Press. 1999.

29. Housel, Barron et al. "WebExpress: A Client/Intercept Based System for Optimizing Web Browsing in a Wireless Environment." Mobile Networks and Applications. Vol 3, Issue 4. 1999. pp. 419-429. Kluwer Academic Publishers.

30. Tang, Wenting et al. "Intelligent Browser Initiated Server Pushing". Proceeding of the IEEE International Conference on Performance, Computing and Communications. IEEE Press. February 2000. pp. 17-23.

31. Si, Antonio et al. "Maintaining Page Coherence for Dynamic HTML Pages." Proceedings of the 1998 ACM Symposium on Applied Computing. ACM Press. Atlanta, GA. 1998. pp. 767-73.

32. Reddy, M. et al. "An Adaptive Mechanism for Web Browser Cache Management". Internet Computing. IEEE Press. February 1998. Vol 2, Issue 1. pp. 78-81.

33. Judson U.S. Patent No. 5,572,643

34. Judson U.S. Patent No. 5,737,619

35. Gauvin et al. U.S. Patent No. 6,061,686

36. Hawes U.S. Patent No. 6,061,715

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|-----|---------------------|---------------------------|
| 37. | Hawes               | U.S. Patent No. 6,094,662 |
| 38. | Horvitz             | U.S. Patent No. 6,182,133 |
| 39. | Mattis et al.       | U.S. Patent No. 6,289,358 |
| 40. | Mighdoll et al.     | U.S. Patent No. 6,311,197 |
| 41. | Yamamoto, Katsuyuki | JP 11024982 A             |

42. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason Cardone  
Supervisory Patent Examiner  
Art Unit 2145